



Order Filed on March 20, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**
Caption in compliance with D.N.J. LBR 9004-1(b)

HILL WALLACK LLP

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Attorneys for NewRez LLC d/b/a Shellpoint

Mortgage Servicing as servicer for Mill City Mortgage

Loan Trust 2018-4

In Re:

Ralph A. Cruz, Jr. *aka* Rafael Cruz *aka* Ralph
Cruz, Jr. *aka* Ralph Cruz *aka* Rafael A. Cruz
aka Ralph Cruz, Jr. *aka* Rafael A. Cruz, Jr.
aka Ralph A. Cruz, Jr.,

Debtor.

Case No. 17-11282 (JNP)

Chapter 13

ORDER RESOLVING MOTION TO VACATE STAY

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: March 20, 2020

A handwritten signature in dark ink, appearing to read "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtor: Ralph A. Cruz, Jr. aka Rafael Cruz aka Ralph Cruz, Jr. aka Ralph Cruz aka Rafael A. Cruz aka Ralph Cruz, Jr aka Rafael A Cruz, Jr., aka Ralph A. Cruz, Jr.

Case No: 17-11282 (JNP)

Caption: Order Resolving Motion to Vacate Stay

| | |
|-----------------------------------|---|
| Applicant: | <u>NewRez LLC d/b/a Shellpoint Mortgage Servicing</u> |
| Applicant's Counsel: | <u>Hill Wallack LLP</u> |
| Debtor's Counsel: | <u>S. Daniel Hutchison, Esq.</u> |
| Property Involved ("Collateral"): | <u>103 Salina Road, Sewell, NJ 08080</u> |

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtors are overdue for 6 months, from 10/01/2019 to 03/01/2020 in the amount of \$2,099.71 per month less suspense of (\$1,221.08) for a total due of \$11,377.18.

Total Arrearages Due \$11,377.18

2. Debtor must cure all post-petition arrearages, as follows:

- Debtor's Attorney shall tender the amount on hand of \$4,200.00 to Secured Creditor no later than March 31, 2020.
- Immediate payment shall be made in the amount of \$2,100.00. Payment shall be made no later than March 31, 2020.
- Additional the remaining arrears of \$5,077.18 shall be added to the debtor's Chapter 13 Plan and be paid out through the Trustee's office.
- Beginning on April 1, 2020, regular monthly mortgage payments shall continue to be made, currently in the amount of \$2,099.71.

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Debtor: Ralph A. Cruz, Jr. aka Rafael Cruz aka Ralph Cruz, Jr. aka Ralph Cruz aka Rafael A. Cruz aka Ralph Cruz, Jr aka Rafael A Cruz, Jr., aka Ralph A. Cruz, Jr.

Case No: 17-11282 (JNP)

Caption: Order Resolving Motion to Vacate Stay

3. Payments to the Secured Creditor shall be made to the following address(es):

✓ Regular monthly payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing
P.O. Box 10826
Greenville, SC 29603-0826

✓ Monthly cure payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing
P.O. Box 10826
Greenville, SC 29603-0826

4. In the event of Default:

If the Debtor fail to make the immediate payment specified above timely (with no grace period) or fails to make any regular monthly payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

5. Award of Attorneys' Fees:

✓ The Applicant is awarded attorney's fees of \$500.00, and costs of \$181.00. The fees and costs are payable through the Chapter 13 plan.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New Jersey

In re:
Ralph A. Cruz, Jr.
Debtor

Case No. 17-11282-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 20, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Mar 22, 2020.

db +Ralph A. Cruz, Jr., 103 Salina Road, Sewell, NJ 08080-1684

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 22, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 20, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor MTGLQ INVESTORS, L.P. dcarlon@kmlawgroup.com,
bkggroup@kmlawgroup.com
Elizabeth K. Holdren on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing as
servicer for Mill City Mortgage Loan Trust 2018-4 eholdren@hillwallack.com,
jhanley@hillwallack.com;hwbknj@hillwallack.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
S. Daniel Hutchison on behalf of Debtor Ralph A. Cruz, Jr. sdhteamlaw@outlook.com,
backupcourt@outlook.com;sdhlawparal@outlook.com;hutchisonsr39026@notify.bestcase.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6